



# Information Bulletin

*Governor's Office of Emergency Services*

*Law Enforcement Branch*

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## Fire Management Assistance Grant Program

### Implications for Law Enforcement

August 19, 2002

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This bulletin is to advise all law enforcement agencies of major revisions to a Federal Emergency Management Agency (FEMA) grant program, which may now provide federal reimbursement for certain fire mitigation, management, and control activities within the State of California. The Fire Management Assistance Grant (FMAG) program was enacted to ensure that adequate resources are available to control a fire incident *before a major disaster occurs*. Note that FMAG assistance must be requested through the local fire agency, to the Governor's Office of Emergency Services, and approved by FEMA while the fire is burning uncontrolled and threatens such destruction as would constitute a major disaster. If an FMAG is approved by FEMA, seventy five percent of direct emergency response costs, including local law enforcement, may be eligible for federal reimbursement.

#### **FIRE ELIGIBILITY:**

The FMAG program was enacted to prevent the occurrence of major disasters. It does this by ensuring that sufficient resources are available to control a fire in its early stages. Since FMAG fires must occur in an area that threatens population, purely wild land fires are excluded from the program. The FMAG evaluation criteria include: 1) threat to lives and improved property, including threats to critical facilities, infrastructure and critical watershed areas; 2) availability of State and local firefighting resources; 3) high fire danger conditions indicated by the National Fire Danger Ratings System indices, and 4) potential major economic impact. Again, please note that a request for an FMAG declaration should be made to the Governor's Office of Emergency Services by the fire agency having jurisdiction for the incident.

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### **ELIGIBLE COSTS:**

Eligible expenditures during the period of the fire incident include: 1) activities performed within the fire area required as the result of the declared fire; 2) the legal responsibility of the agency performing those activities, and 3) for overtime for those actually working the fire incident, and for personnel called in to work the fire. Documentation should be submitted to the fire agency of jurisdiction, or otherwise as directed by OES following the fire.

For law enforcement agencies, typical eligible costs include: police barricading and traffic control; search and rescue; arson investigation; evacuation and sheltering; animal control and evacuation; the dissemination of emergency public information; and extraordinary emergency operations center costs. Also, costs for the repair or replacement of equipment damaged by the fire; and supplies such as personal comfort and safety items, and field camps and meals (in lieu of per diem) expended during emergency response operations may be eligible for reimbursement. (**Note:** These categories are “as published” by FEMA. They do not necessarily reflect California guidelines or SEMS terminology. It is important to capture all expenditures and then work with OES Disaster Assistance Branch to determine which categories may apply.)

### **INELIGIBLE COSTS:**

Costs not eligible for reimbursement include: regular time salaries and benefits for permanently assigned or reassigned personnel; backfill costs; costs relating to planning, pre-suppression and recovery activity; administrative and indirect costs; and any mitigation, management, and control costs related to *undeclared* fires,

### **DOCUMENTATION AND REIMBURSEMENT PROCESS:**

At the time of this bulletin, OES and FEMA are still discussing who will collect and claim state and local fire costs. Generally speaking, law enforcement agencies should work with the financial unit of the Fire Incident Command to ensure all eligible costs are submitted under that agency’s application for reimbursement. OES will notify all parties of any specific procedures that may be developed for future FMAG fires. In all cases, the California Office of Emergency Services will serve as the Grantee for FMAG funds, and will transmit the federal funding to eligible state and local agencies (subgrantees). Note that no state cost sharing funds will be provided with this program.

Law Enforcement Agencies who want to submit their costs for reimbursement should track and document ***all*** expenditures for any fire incident having the potential of a major disaster. **The accounting process should begin immediately** at the initial response to

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the incident, and include: 1) all personnel costs, segregating normal time from overtime-separating all disaster related work from any normal activity (salary calculations should include fringe benefits, shift differential and incentive pay); 2) mission assignment documentation should show those responding employees were within the period of the incident and their services were rendered within the fire area; 3) any temporary or contract labor costs; 4) any rental equipment costs; and 5) equipment mileage, operation and maintenance costs.

### **SUMMARY:**

Law Enforcement Agencies now have a mechanism for reimbursement of a portion of their costs in responding to fire incidents having the potential of a major disaster. Once a FMAG declaration is approved by FEMA, Law Enforcement Agencies should work with your local fire agencies, the fire incident commander, and OES to ensure that all eligible costs are reimbursed. Advanced planning between agencies is recommended since the approval process for this grant program occurs while the fire is uncontrolled, usually within the initial hour or two of the initial response.

Law enforcement agencies may receive inquiries from the OES Law Enforcement Branch regarding their initial response activities, evacuations and the situation status as it relates to law enforcement resources.

### **AUTHORITIES:**

Authority for this program can be found in *44 CFR Parts 2, 9, 10, 204, and 206*, The Fire Management Assistance Grant Program, and in *Public Law 106-390, the Disaster Mitigation Act of 2000*.

For further information, please contact the OES Law Enforcement Branch office at 916-845-8700, the OES Fire and Rescue Branch office at 916-845-8711, or your local Fire Department.